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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

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IN RE:

ANTHONY THOMAS, and  
WENDI THOMAS,

AT EMERALD, LLC,

Debtors.

CASE NO.: 14-50333-BTB  
CASE NO.: 14-50331-BTB  
(Chapter 7)

[lead case jointly administered]

HRG. DATE: \_\_\_\_\_  
AND TIME: \_\_\_\_\_

**MOTION TO WITHDRAW AS COUNSEL OF RECORD**

COMES NOW, MICHAEL LEHNERS, ESQ., attorney of record for the Debtors, ANTHONY and WENDI THOMAS, and hereby moves this Honorable Court for an order permitting him to withdraw as attorney of record for the Debtors.

This request for withdrawal is based upon the following memorandum of points and authorities.

**MEMORANDUM OF POINTS AND AUTHORITIES**

There has been no judgment or final determination in the above-entitled case. Rule 46 of the Nevada Supreme Court Rules, Withdrawal or Change of Attorney, states in pertinent part:

1 "The attorney in an action or special proceeding may be changed at any  
2 time before a judgment or final determination as follows:

- 3 (1) Upon consent of attorney, approved by client;  
4  
5 (2) Upon the order of the court or judge thereof on the application of  
6 the attorney of the client;  
7  
8 (3) After judgment or final determination, an attorney may withdraw  
9 as attorney of record any time upon the attorney' filing of  
10 withdrawal, with or without the client's consent."

11 C.E.B. California procedure before trial, section 81, page 53, states in  
12 pertinent part:

13 "Care should be taken to recite only a minimum of necessary detail as to  
14 the difference existing between attorney and client so that the client will  
15 not be unduly prejudice by a statement spread on the record. The court  
16 should be liberal in granting the motion because of the highly  
17 confidential relationship that must exist between attorney and client to  
18 successfully prosecute or defend a case."

19 Counsel was retained by the Debtors for very limited purpose and these  
20 services have been completed. The Debtors have not retained Counsel for any  
21 additional service and Counsel needs to withdraw in this matter. Counsel has  
22 already advised the court he would be withdrawing.

23 WHEREFORE, Movant requests this Court to enter an order permitting  
24 him to withdraw as attorney for record for Debtors.

25 DATED this \_\_\_\_ day of June, 2015.

26  
27  
28  
MICHAEL LEHNERS, ESQ.  
Attorney for Debtors.

**AFFIDAVIT OF MICHAEL LEHNERS**

STATE OF NEVADA       )  
  ) ss.  
COUNTY OF WASHOE    )

I, MICHAEL LEHNERS, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. That affiant is an attorney licensed to practice law in all the Courts of the State of Nevada.

2. That affiant was retained by Debtors to assist them in the pending Chapter 7 Bankruptcy on a very limited basis.

3. Counsel has completed all the work that he was retained for and it is now necessary for him to withdraw. Counsel has further advised the court that he would be filing the pending motion.

  
MICHAEL LEHNERS

SUBSCRIBED and SWORN to before me  
this 4 day of June, 2015.

  
NOTARY PUBLIC

